

REMARKS

This is intended as a full and complete response to the Office Action dated September 15, 2003, having a shortened statutory period for response set to expire on December 15, 2003. Please reconsider the claims pending in the application for reasons discussed below.

Claim Objections

Claims 1, 11, and 16 have been objected to as having improper antecedent basis for "the reference media block." Claim 11 has also been objected to as having improper antecedent basis for "the active window table." Applicant submits that, as amended, these claims have proper antecedent basis and, therefore, request removal of this objection.

Claim Rejections 35 USC 102

Claims 1-25 have been rejected under 35 U.S.C. 102(b) as being anticipated by *Nemes*, U.S. Patent 5,893,120. Regarding claims 1, 11, and 16, the Examiner states that *Nemes* discloses a method and apparatus including the claimed limitations. Applicant submits, however, that *Nemes* does not disclose the claimed limitations, as will be described below. The Examiner states that *Nemes* discloses creating an active window table, and seems to indicate a hash table and the claimed active window table are similar objects. However, Applicant submits that the claimed active window table and hash table are not similar.

As defined in *Nemes*, a hash table is "a large one-dimensional array of record locations" (col. 1, lines 40-41). On the other hand, the active window table of the present application lists data blocks and corresponding information (see FIGs. 3A-D) used to monitor media blocks in a media set. As claimed, the active window table may be used to identify media blocks that store only data blocks that have become expired. Further, the active window table may be used to determine a reference media block that is an oldest media block in a media set. Finally, if one reference media block is removed from the active window table, another media block may be identified as a reference media block. Applicant submits that these claimed operations are not

disclosed in *Nemes* and, further, that these claimed operations could not be performed using the hash table of *Nemes*, which does not have the requisite information.

Accordingly, Applicant submits that claims 1, 11, and 16 are patentable over *Nemes* and request removal of this rejection with respect to these claims. Claims 2-10, 12-15, and 17-25, each depend directly or indirectly from claims 1, 11, or 16 and, as such, contain the same limitations thereof. Accordingly, Applicant submits that these claims are also patentable over *Nemes* and request removal of this rejection with respect to these claims, as well.

Conclusion

Having addressed all issues set out in the office action, Applicant respectfully submits that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,



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